



UNITED STATES MARINE CORPS
MARINE CORPS SYSTEMS COMMAND
2200 LESTER ST
QUANTICO, VIRGINIA 22134-6050

IN REPLY REFER TO:

MCSC CT 021
J&A No. 13,467

**JUSTIFICATION AND APPROVAL
TO PROCURE USING BRAND NAME SPECIFICATION(S)**

Upon the basis of the following justification, I, as Contracting Officer for the Infantry Weapons Program, hereby approve the issuance of the contractual action described herein using Brand Name Specifications, pursuant to the authority of 10 U.S.C. 2304(c)(1), as implemented by FAR 6.302-1(c).

BRAND NAME JUSTIFICATION

1. Contracting Activity

Marine Corps Systems Command (MARCORSYSCOM)
Infantry Weapons Systems (CT021)
2200 Lester Street
Quantico, VA 22134

2. The Nature of Action Being Approved

The proposed action is to procure a brand name specific part, using other than full and open competition, in support of Infantry Weapons Systems (IWS) M45 pistol Program of Record. Procurement Marine Corps (PMC) funding has been authorized for 2600 M1911A1 M45 pistol slides. The M45 pistol slide is required due to continuous operation in support of current contingency operations.

3. Description of Supplies/Services

The Springfield Armory M1911A1 M45 slide, part number PX4546, is a pistol slide manufactured to the material and dimensional specifications of the M45 M1911A1 Pistol (technical data package) TDP. The slide manufactured by Springfield Armory is the only slide recommended by part number in the TDP and the only slide that meets the requirements for use on the M45 pistol. The proposed contracting action will provide a Commercial Off The Shelf (COTS) slide in support of the IWS M45 pistol program. The procurement allows the program to replace the already fielded Approved Acquisition Objectives (AAO). The contract method the Government intends to use is a firm-fixed-price (FFP) indefinite-delivery, indefinite-quantity (IDIQ) contract with duration of no more than 4 years. The anticipated minimum quantity will be 600 slides.

4. Identification of Statutory Authority

The statutory authority permitting other than full and open competition is pursuant to the 10 U.S.C. 2304(c)(1) as implemented by the Federal Acquisition Regulation (FAR) 6.302-1(c), Application for Brand Name Descriptions. FAR 6.302-1(c) permits the use of brand name description in the acquisition if it is essential to the Government's requirements and market research indicates other companies' similar products, or products lacking the particular feature, do not meet the agency's needs, thereby precluding consideration of a product manufactured by another company.

5. Demonstration of the Contractor's Unique Qualification and Rationale

On completion of extensive testing and evaluation, Springfield Armory was found to be the only manufacturer who can provide the Marine Corps with a slide that met the requirements for the M1911A1 M45 pistol without significant adaptation to the manufacturing assembly procedures. Springfield Armory is currently the only manufacturer of the M1911A1 M45 slide identified as technically acceptable per the TDP drawing number [REDACTED]. To date, [REDACTED] M1911A1 M45 pistols have been built and fielded with the Springfield Armory slide part number PX4546. Paragraph six (6) below provides details of the Government's testing that shows not only efforts to find potential sources but demonstrates Springfield's unique qualifications.

6. Efforts Made to Solicit Potential Sources

Marine Corps Systems Command's Request for Proposal (RFP), M67854-08-R-1146, was released utilizing full and open competition on 2 September 2009 with proposals due by 1 October 2009 for the procurement of 1800 M45 pistol slides [REDACTED] proposals were received from [REDACTED]

[REDACTED] of the offerors did not provide slide samples and were therefore non-compliant. Testing of the remaining [REDACTED] slide samples was conducted between November and December 2009. The testing was conducted to evaluate the sample slides and was divided into two distinct events. The first test event was to evaluate the composition and physical characteristics of the slides. The standards for the slide were identified in both the TDP and the product description. [REDACTED] offerors provided samples that met this requirement. The second part of the test required that the slides be assembled with the specified parts called out in the product description utilizing current build procedures for the M45 pistol. Once an appropriate number of samples from each offeror were assembled, the pistols were fired to test reliability. The outcome of testing showed that no offeror can produce a slide that can be immediately inserted into the manufacturing process without significant degradation of the weapon's performance. Specifically, none of the sample slides provided by the offerors were capable of achieving the reliability requirements for the M45. Only pistols that consistently meet all of the requirements are those assembled with the Springfield Armory M1911A1 M45 slide, part number PX4546.

The cost to the Government, including labor and materials, to execute the above described competition was over [REDACTED]. Should further competitions be conducted, they would be of a developmental, test-fix-test nature versus the intended commercial acquisition. The costs of a developmental effort, well in excess of [REDACTED], would not be recovered by the Government through competition. The estimated cost to purchase the commercial slides directly from Springfield is [REDACTED].

7. Determination of Fair and Reasonable Cost

Through the comparison of historical pricing data and the [REDACTED] competitive proposals received in the September 2009 competition, the Contracting Officer will ensure the final price is fair and reasonable.

8. Description of Market Survey

Paragraph 6 above provides a full description of those actions taken to provide for full and open competition and served, contemporaneously, as market research. No additional market research was conducted or required.

9. Other Supporting Factors

Since November of 2009, the M45 pistol production line has been at a stand still due to the absence of slides. Further pursuit of a new slide will require even more time and would also require significant changes to the in place build procedures at the manufacturing facility and will be prohibitively expensive in both cost and schedule.

10. Listing of Other Interested Sources

In response to PM IW's full and open competition in September 2009, [REDACTED] interested sources responded with proposals. They were, [REDACTED]

During the evaluation of these [REDACTED], none were found to be acceptable. PM IW does not believe there have been any changes to the market since this time, however the Government will evaluate any possible future interests and opportunities available from those interested sources.

11. Actions Taken to Remove Barriers to Competition

In September 2009, this requirement was competed in a full and open manner. No offeror met the requirements of the purchase description. If another potential source emerges, the Government will assess whether competition for future requirements is feasible.

12. Statement of Delivery Requirements

The Government will negotiate the most advantageous delivery schedule allowing for the most rapid production and delivery rate so as not to further impede the PWS build process for the M45 pistol.

13. Estimated Dollar Value of the Acquisition Covered by this J&A

The total dollar value of this acquisition is approximately [REDACTED]. The type of funding is [REDACTED]. Funding breakdown is as follows:

[illegible]

14. Reference to the Approved Acquisition Plan

In accordance with Defense Federal Acquisition Regulation Supplement (DFARS) Part 207.103, an Acquisition Plan is not required for this procurement.

15. Documentation for Spare and Repair Parts Acquisition

There are no spare or repair parts associated with this acquisition.